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Public Utility Law Project of New York, Inc.

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

July 20, 1994

Policy and Program Planning Division
Common Carrier Bureau
Federal Communications Commission
Washington, D.C. 20554

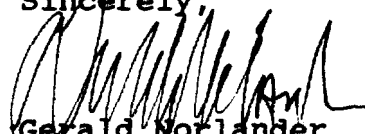
Re: Billed Party
Preference for 0+
InterLATA Calls
FCC Docket No. 92-77

Dear Sir or Madam:

Our July 15, 1994 filing in this matter contained an error in footnote three on page three. A correction page revising footnote three has been filed with the Commission. Two copies of the correction page are enclosed.

I apologize for the error and regret the inconvenience.

Sincerely,


Gerald Norlander, Esq.
Deputy Director

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FEDERAL COMMUNICATIONS COMMISSION
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William F. Caton, Acting Secretary
Office of the Secretary
Federal Communications Commission
Washington, D.C. 20554


Re: Billed Party
Preference for 0+
InterLATA Calls
FCC Docket No. 92-77

Dear Mr. Caton:

The comments of the Public Utility Law Project of New York, Inc., dated July 15, 1994 and filed in the above captioned proceeding, contained an error in footnote three on page three. Enclosed please find an original and nine copies of a replacement page.

I regret the error and apologize for the inconvenience.

Sincerely,



Gerald Norlander, Esq.
Deputy Director

cc: Policy and Program Planning Division
Common Carrier Bureau

ITS, Inc.

family and friends through the Inmate Call Home Program operated by the New York State Department of Correctional Services (DOCS). Since its inception in 1985 the program has mushroomed from 50 coinless phones at a single facility to a statewide system with over 2,300 phones.³ There are at least another 3,000 inmate-only phones in county and city correctional facilities in New York State.⁴

For the families of prisoners in New York State, the current system of collect-only calls represents a pure monopoly. Prisoners held in state facilities wishing to make telephone contact with their families must use VAC, the single authorized provider to place these calls. The person who accepts these calls must accept the rates and conditions established by this single provider. Unlike other pay telephones, inmate-phones usually block access code dialing and therefore neither the inmate nor the family has any ability to select a carrier.⁵

³ Value-Added Communications Inc. (VAC) has contracted with the New York State Department of Corrections to be the exclusive inmate telephone provider from April 1, 1992 to March 31, 1995. The contract states that VAC "submitted the most qualified bid and offered the highest paid commission rate." (Emphasis added.) The State has an option to renew for two one year terms and may seek new commission rates for the renewal years.

⁴ See the March 8, 1994 Comments of The NYNEX Telephone Companies In the Matter of The Petition of the Inmate Calling Services Providers for Declaratory Ruling, RM-8181. NYNEX estimated that the inmate-only phones of the New York State Department of Corrections represent 39 percent of the inmate-only phones in service in the New York Telephone service territory.

⁵ Correctional facilities were specifically exempted from the Commission's rules that prohibit the blocking of access code dialing at call aggregator locations. Policies and Rules Concerning Operator Services Providers, 6 FCC Rcd 2744, 2752